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Arizona Corporation Commission

DOCKETED

BEFORE THE ARIZONA CORPORATION COMMISSION

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APR 05 2001

APR -5 P 4:44

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

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*me*AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
H2O, INC., FOR AN EXTENSION OF ITS
EXISTING CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. WS-02234A-00-0371

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C. DBA JOHNSON
UTILITIES COMPANY FOR AN EXTENSION
FOR ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER AND
WASTEWATER SERVICE TO THE PUBLIC IN
THE DESCRIBED AREA IN PINAL COUNTY,
ARIZONA.

DOCKET NO. WS-02987A-99-0583

DOCKET NO. WS-02987A-00-0618

IN THE MATTER OF THE APPLICATION OF
DIVERSIFIED WATER UTILITIES, INC. TO
EXTEND ITS CERTIFICATE OF
CONVENIENCE AND NECSSITY.

DOCKET NO. W-02859A-00-0774

IN THE MATTER OF THE APPLICATION OF
QUEEN CREEK WATER COMPANY TO
EXTEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-1395A-00-0784

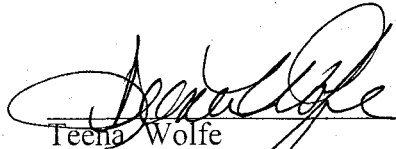
**STAFF'S RESPONSE TO MOTION
TO BIFURCATE**

On March 22, 2001 Arizona Utility Supply & Services, L.L.C. ("AUSS") filed a Motion to Bifurcate in these dockets. In that motion, AUSS requests the bifurcation of the wastewater issues involving the territory that it and Johnson Utilities, L.L.C. both desire to serve. The Utilities Division staff of the Commission ("Staff") hereby files its response.

AUSS filed an untimely Application to intervene in these matters on February 26, 2001. By Procedural Order dated March 8, 2001 AUSS' Application to Intervene was denied. On March 12, 2001 AUSS filed a Motion for Reconsideration and Reply in Support of Application to Intervene. During public comment at the commencement of the hearing in these dockets, AUSS also orally requested reconsideration of its Application to Intervene. The Motion for Reconsideration was denied. AUSS has not been granted intervention, and therefore is not a party. Because AUSS is not a party to these dockets, its Motion to Bifurcate should not be considered.

1 Staff is not aware of any changes in facts that would justify reversal of the Commission's
2 March 9, 2001 Procedural Order denying the Application to Intervene or the ruling at the March 15,
3 2001 hearing denying reconsideration of that procedural determination.

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5 RESPECTFULLY SUBMITTED this 5th day of April, 2001.
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19 5th day of April, 2001 with:

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22 1200 West Washington Street
23 Phoenix, Arizona 85007

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